

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

BRYAN W. BASS,

Plaintiff,

v.

DOUG GILLESPIE, et al.,

Defendants.

Case No. 2:13-cv-02100-MMD-CWH

ORDER

Plaintiff, who is in the custody at the Clark County Detention Center, has submitted an application to proceed *in forma pauperis* (dkt. no. 1) seeking to initiate a civil rights action.

The action has not been properly commenced because the pauper application is not properly completed. Under Local Rule LSR 1-1, a plaintiff seeking to commence an action *in forma pauperis* must file an application on the Court's required pauper form. Plaintiff instead used what appears to be a state court form.

Moreover, both a financial certificate properly completed and executed by an authorized institutional officer on the required federal form and a statement of the plaintiff's inmate trust fund account for the past six months are required by 28 U.S.C. § 1915(a)(2) and Local Rule LSR1-2. Plaintiff attached neither.


It does not appear from review of the allegations presented that a dismissal without prejudice of the present improperly-commenced action would lead to a promptly filed new action being untimely or otherwise result in substantial prejudice.

1 It is therefore ordered that the application to proceed *in forma pauperis* (dkt. no.
2 1) is denied and that this action shall be dismissed without prejudice to the filing of a
3 new complaint on the required form in a new action together with either a new pauper
4 application with all required, and new, attachments or payment of the \$350.00 filing fee.

5 The Clerk of Court shall send plaintiff a copy of the papers that he filed along with
6 the complaint and pauper forms and instructions for both forms.

7 The Clerk shall enter final judgment accordingly, dismissing this action without
8 prejudice.

9
10 DATED THIS 24th day of January 2014.

11 
12 MIRANDA M. DU
13 UNITED STATES DISTRICT JUDGE
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28